

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88152

Zhiwen ZHOU, et al.

U.S. Patent Appln. No.: 10/539,446

Group Art Unit: 1635

Confirmation No.: 8654

Examiner: Jane J ZARA

Filed: June 20, 2005

For: GROUP OF NUCLEIC ACID FRAGMENTS FOR PREVENTION OF HIV INFECTION  
OR AIDS AND THE USAGE THEREOF

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. However, since a statement can be made a statement is being submitted herewith.

Applicants submit herewith a copy of an Office Action issued on April 22, 2010, in corresponding European Application No. 03782054.5. Applicants note that Reference D2 (John CAPODICI *et al.*, *The Journal of Immunology*, 2002, 169:5196-5201) and Reference D5 (Jean-Marc JACQUE *et al.*, *Nature*, 2002, 418:435-438) in this European Office Action were cited in the Information Disclosure Statement filed May 6, 2009, and have been considered by the Examiner. Accordingly, Applicants are not citing, or providing copies of these references with the present Information Disclosure Statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan C. Townsley/

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WASHINGTON OFFICE

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CUSTOMER NUMBER

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